

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2007-164910-001 DT

11/06/2007

COMMISSIONER LISA ANN VANDENBERG

CLERK OF THE COURT  
K. Miller  
Deputy

STATE OF ARIZONA

HEATHER LEE KIRKA

v.

ERIK BRADLEY FERGUSON (001)  
DOB: 5/19/1976

RUSSELL G BORN

APO-SENTENCINGS-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CSC  
MCSO-SIMS  
RFR  
VICTIM SERVICES DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:11 a.m.

Courtroom 2

State's Attorney:	Jennifer Swanstrom for Heather Kirka
Defendant's Attorney:	Russ Born
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The plea is accepted.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (amended) Assault, a Domestic Violence Offense  
Class 1 misdemeanor

A.R.S. § 13-1203, 3601, 3601.01, 702(G), 707, 802; 12-114.01

Date of Offense: 10/1/2007

Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 2 years

To begin 11/6/2007.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 1 - \$50.00 per month, beginning 2/1/2008.

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$10.00

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

All amounts payable through the Clerk of the Superior Court.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 18 - Not have any contact with the victim(s) whatsoever, unless approved in writing by the Adult Probation Department.

Condition 21 - Count 1: Be incarcerated in the county jail for 6 month(s), beginning 3/1/2008 with credit for 0 day(s) served (deferred jail).

Not to be released until 9/1/2008.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

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Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

Condition 25 - Abide by the Special Conditions of Probation as noted on the attachment to the Uniform Conditions of Supervised Probation.

Condition 26 - Other: If Defendant completes the Term 24 items that have deadlines of 2/1/2008 and is in compliance with all other terms at that time, then Term 21 shall be vacated.

IT IS ORDERED granting the Motion To Dismiss the following: Count 2.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

10:24 a.m. Matter concludes.

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER LISA ANN VANDENBERG  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)